

**AGENDA:** February 11, 2003

**4.1**

**CATEGORY:** Consent

**DEPT.:** Community Development

**TITLE:** Set Public Hearing for Appeal of  
Conditional Use Permit—257-259 Moffett  
Boulevard

### **RECOMMENDATION**

Set date for a public hearing on February 25, 2003 to consider an appeal of the Zoning Administrator's approval of a Conditional Use Permit extension.

**FISCAL IMPACT**—None.

### **BACKGROUND AND ANALYSIS**

On December 11, 2002, the Zoning Administrator held a public hearing and approved the property owner's request for a one-time two-year permit extension of Planning Application No. 376-00-UPA in compliance with Section A36.84.020.B of the Mountain View Municipal Code. A permit was originally granted on December 20, 2000 that allowed for: (1) a Development Review Permit to upgrade the exterior of an existing commercial building and the site by adding metal canopies at the front and rear, replacing two existing roll-up doors with storefront glass, adding a new trash enclosure and refurbishing and restriping the parking lot; and (2) a Conditional Use Permit to provide 11 parking spaces in lieu of the required 16 parking spaces to allow the building to be used as an office. Such permits are initially valid for two years from the approval date and the property owner requested the one-time two-year extension of those permits to December 2004.

On December 30, 2002, the property owner, Dan Vaziri, filed an appeal of the permit extension. The applicant is appealing one sentence in the findings report that states, "This permit does not grant the applicant authorization to use this site for an auto repair business." The applicant notes that this property has been continuously used as an auto repair since the mid-1970s and is, therefore, a "grandfathered" use. Staff notes that the site has been vacant since 1999 and a new auto repair business would require a Conditional Use Permit.

This project has been scheduled for review at the February 25, 2003 Council meeting.

**AGENDA:** February 11, 2003

**PAGE:** 2

**PUBLIC NOTICING**—Agenda posting.

Prepared by:

Approved by:

Nancy Hutar  
Project Planner

Elaine Costello  
Community Development Director

Kevin C. Duggan  
City Manager

WMcN/NH/9/CAM  
809-02-11-03M^

cc: Mr. Dan Vaziri  
261 Moffett Boulevard  
Mountain View, CA 94043

Mr. Michael Atherton  
300 Third Street #7  
Los Altos, CA 94022

CDD(A), EDM, DZA